



United States
Department of
Agriculture



Strengthening Conservation with Regional Partnerships

Use of Watershed Protection and Flood Prevention Act Authority in the Regional Conservation Partnership Program

USDA's Natural Resources Conservation Service offers voluntary Farm Bill conservation programs that benefit agricultural producers and the environment.

Overview

The Regional Conservation Partnership Program (RCPP) is a new, comprehensive and flexible program that mobilizes partnerships to multiply conservation investments and reach common conservation goals on a regional or watershed scale.

Watershed Authority

For designated Critical Conservation Areas (CCAs), NRCS implements RCPP through several conservation authorities, including Public Law 83-566 Watershed Protection and Flood Prevention Act (hereafter referred to as "watershed program authority"). RCPP projects in CCAs may use all PL 83-566 authorized purposes except watershed rehabilitation.

Use of Watershed Program Authorities within CCAs

In designated Critical Conservation Areas (CCAs), RCPP applicants may request to use watershed program authority. Applicants requesting use of watershed program authority must follow all statutory and programmatic rules of PL 83-566 except for needing approval by Congress. RCPP applicants are strongly encouraged to thoroughly

review the specific requirements of the PL 83-566 before they begin the application process.

PL 83-566 requires the development of physically, environmentally, socially, and economically sound watershed project plans with actions scheduled for implementation over a specified period of years. Watershed project plans contain project actions, which are formally planned undertakings carried out within a specified geographic area by sponsors for the benefit of the general public. The plan includes required National Environmental Policy Act (NEPA) and economic documentation.

The length of time to complete all PL 83-566 statutory requirements should be considered when requesting watershed program authority. All RCPP proposed work must be completed and operational within five years of the RCPP agreement approval.

Sponsoring Local Organization

Watershed projects are required to be sponsored by one or more local organizations. RCPP applicants requesting the use of watershed program authorities must identify which organization(s) will be the sponsoring local organization(s). Project sponsors must have the legal authority and resources to

carry out, operate, and maintain works of improvement and individually or collectively have:

- Power of eminent domain;
- Authority and willingness to exercise authority to levy taxes;
- Ability to obtain permits and licenses;
- Ability to obtain needed land rights;
- Ability to obtain or provide assurance that landowners or water users have acquired such water rights, pursuant to State law, as may be needed for project;
- Ability to obtain agreements from landowners to implement conservation plans on not less than 50% of the lands situated in the drainage area above each retention reservoir to be installed;
- Ability to coordinate or lead public participation;
- Evidence of commitment of funding, installing, operating and maintaining the project for the design lifespan;
- Ability to implement needed watershed management features such as permitting, zoning, land use regulation, easements, or upstream watershed protection; and
- Evidence that any proposed municipal and industrial water supply use will be acceptable in quantity and quality to meet the anticipated needs.

To be eligible for program funding under the watershed program authority, the RCPP applicant or their project partners must meet the requirements of a sponsoring local organization. If you have questions about sponsoring local organization requirements, contact your local NRCS office.

Additional Requirements

All projects must follow NRCS standards and engineering criteria.

More Information

For more information on the Watershed Protection and Flood Prevention Act, the Watershed Protection and Flood Prevention Act authorities may be found in Public Law 83-566 (16 U.S.C. Parts 1001-1008, and 1010) and Codified Rule 7 CFR part 622. Specific information on how PL 83-566 authorities are implemented can be found in the National Watershed Program Manual and Handbook at the NRCS Web site:

<http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/landscape/wfpo/>

nrcs.usda.gov

Natural Resources Conservation Service